

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**ANGELICA OCASIO,**

**Plaintiff,**

**3:14-cv-1096  
(GLS/ATB)**

**v.**

**CAROLYN W. COLVIN,**  
Commissioner of Social  
Security,

**Defendant.**

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**APPEARANCES:**

**OF COUNSEL:**

**FOR THE PLAINTIFF:**

Lachman, Gorton Law Firm  
P.O. Box 89  
1500 East Main Street  
Endicott, NY 13761-0089

PETER A. GORTON, ESQ.

**FOR THE DEFENDANT:**

HON. RICHARD S. HARTUNIAN  
United States Attorney  
100 South Clinton Street  
Syracuse, NY 13261

AMANDA J. LOCKSHIN  
DAVID L. BROWN  
SUSAN J. REISS  
Special Assistant U.S. Attorney

Steven P. Conte  
Regional Chief Counsel  
Social Security Administration  
Office of General Counsel, Region II  
26 Federal Plaza, Room 3904  
New York, NY 10278

**Gary L. Sharpe**  
**Senior District Judge**

## **ORDER**

The above-captioned matter comes to this court following a Report and Recommendation by Magistrate Judge Andrew T. Baxter, duly filed on April 26, 2016. (Dkt. No. 25.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Report-Recommendation for clear error, it is hereby

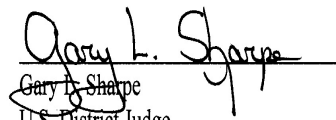
**ORDERED** that the Report and Recommendation (Dkt. No. 25) is **ADOPTED** in its entirety; and it is further

**ORDERED** that the decision of the Commissioner be **REVERSED** and this case **REMANDED**, pursuant to sentence four of 42 U.S.C. § 405(g), for a proper evaluation of the medical opinion and other evidence, an appropriate determination of plaintiff's residual functional capacity, and other further proceedings, consistent with the Report; and it is further

**ORDERED** that the Clerk provide a copy of this Order to the parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

June 16, 2016  
Albany, New York

  
Gary L. Sharpe  
U.S. District Judge